



2189

PATENT APPLICATION
Attorney's Do. No. 3981-035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Joel R. Goergen

Serial No. 10/068,418

Examiner: Tim Vo

Filed: February 5, 2002

Group Art Unit: 2189

For: HIGH-SPEED ROUTER WITH SINGLE BACKPLANE
DISTRIBUTING BOTH POWER AND SIGNALING

Confirm. No. 9574

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Technology Center 2100

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Enclosed for filing in the above-referenced application are the following:

- ☒ IDS Statement & 1449(Modified)
- ☒ Six Exhibits
- ☒ Return Postcard
- ☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.

Customer No. 20575


Respectfully submitted,

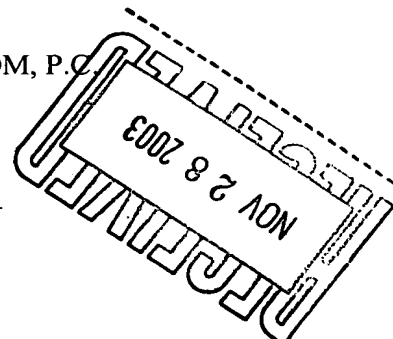
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James E. Harris
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Date: November 19, 2003


Lauren Ballard-Gennell





ATTORNEY DOCKET NO.

3981-035

#6
12-2-03
caIN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Joel R. Goergen

Serial No.: 10/068,418

Examiner: Tim Vo

Filing Date: February 5, 2002

Group Art Unit: 2189

Title: HIGH-SPEED ROUTER WITH SINGLE BACKPLANE DISTRIBUTING
BOTH POWER AND SIGNALINGCommissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT Technology Center 2100

Examiner Vo:

The above-referenced application was one in a series of applications (five total), based on a common specification, filed on February 5, 2002. Each application was filed in the United States with a Request for Non-Publication. The applicant(s) later elected to file foreign applications claiming priority to each corresponding U.S. matter. Corresponding PCT applications were filed September 3, 2002, and the foreign applications in Taiwan on February 6, 2003.

Under CFR 1.213(b) the applicant(s) filed a Request for Nonpublication-Rescinded with the USPTO, for each US application. The requests included a certificate of mailing showing a July 31, 2002, filing date. The resulting Rescissions, had each been properly processed, were well in advance of any subsequent foreign filings.

The first application in the sequence, attorney docket number 3981-007, serial number 10/068,616 (hereafter '616), was processed by the USPTO in the customary manner. A corrected filing receipt was mailed showing a projected publication date of August 7, 2003.

The following Requests, filed together and in sequence with the '616 application Request, were evidently not processed correctly. The applicant(s) can only presume the Requests for the remaining applications were kept with the '616 application, by a Patent Office assumption they were either duplicates or additional forms intended for the '616 application. The applicant(s) made several attempts to locate the documents through telephone communication to the USPTO and through a physical search of the available files conducted by a Washington DC firm with a Power to Inspect. The documents were not recovered.

The recommended course of action by the Pre-Grant Division was to resubmit copies of the originally filed Requests to Rescind the Notice of Non-Publication in each case by facsimile directly to the Pre-Grant Division to avoiding the chance the documents could be placed in the backlog, possibly for the second time.

A copy of the original requests were resubmitted by facsimile on June 13, 2003.

Upon resubmission, the Requests to Rescind the Non-Publication were accepted, and given projected publication dates based on the February 5, 2002, original filing date. For this application specifically, the projected publication date was September 25, 2003. The provision of an expedited publication suggests accountability by the Pre-Grant Division that the July 31, 2002, documents were misdirected or lost while under control of the USPTO.

The enclosed materials represented as Exhibits A through F, are to establish the mishandling of filed documents to the PTO with respect to the Rescission of Non-Publication in the above referenced application. Based on the facts presented, we respectfully maintain that the Rescission of Non-Publication was actually received by the PTO before we filed any foreign application, and therefore this particular application, as with the other adversely effected applications in the series, are still active matters for patent prosecution and not subject to abandonment.

This Disclosure Statement is submitted:

☒ Applicant(s) submit herewith this Statement together with a list of Exhibits, which applicant(s) believe(s) may be material to the examination of this application.

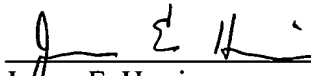
It is requested that the information disclosed herein be made of record in this application.

☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Customer No. 20575

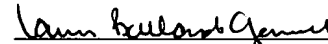
Respectfully submitted,

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Date: November 19, 2003


Lauren Ballard-Gammell

PATENT APPLICATION

Atty. Docket No.: 3981-035 Serial No. 10/068,418
Applicant: Joel R. Goergen
Filing Date: February 5, 2002 Group: 2189

**INFORMATION DISCLOSURE CITATION
FORM PTO-1449 (Modified)**

U.S. PATENT DOCUMENTS

None

FOREIGN PATENT DOCUMENTS

None

OTHER DOCUMENTS

<u>Examiners</u> <u>Initial</u>	<u>Ref.</u>	<u>Description</u>
_____	Ex. A	Original Submission Request for Non-Publication-Rescinded Serial No. 10/068,418; dated July 31, 2002; 1 page
_____	Ex. B	Original Submission Request for Non-Publication – Rescinded Serial No. 10/068,616; dated July 31, 2002; 1 page
_____	Ex. C	Corrected filing receipt for ‘616 application; dated September 9, 2002; 2 pages
_____	Ex. D	Resubmission copies of Request for Non-Publication-Rescinded and coversheet Serial No. 10/068,418; dated June 13, 2003; 2 pages
_____	Ex. E	Notice Regarding Rescission Serial No. 10/068,418; dated June 13, 2003; 1 page
_____	Ex. F	Notice of Publication Serial No. 10/068,418; dated September 25, 2003; 1 page

Examiner: _____

Date Considered: _____